

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1-21. (Cancelled)

22. (Previously Presented) A low reflective antistatic hardcoat film comprising:

 a transparent substrate film;

 a transparent conductive layer formed on the transparent substrate film;

 a hardcoat layer formed on the transparent conductive layer, the hardcoat layer comprising an anisotropic conductive layer of which the volume resistivity in the direction of the plane in the layer is higher than the volume resistivity in the layer thickness direction, the hardcoat layer comprising a plurality of layers; and

 a low refractive layer formed on the hardcoat layer, the low refractive layer having a lower refractive index than the hardcoat layer.

23. (Previously Presented) The low reflective antistatic hardcoat film according to claim 22, wherein fine irregularities are formed on a surface of the hardcoat layer and/or a surface of the low refractive layer.

24. (Cancelled)

25. (Previously Presented) The low reflective antistatic hardcoat film according to claim 22, wherein the hardcoat layer comprises the reaction product of a reaction curing resin composition.

26. (Previously Presented) The low reflective antistatic hardcoat film according to claim 22, wherein the hardcoat layer has a high refractive index.

REMARKS

Claims 22, 23, 25 and 26 are pending in this application. By this Amendment, claim 24 is cancelled. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Claim Objection

The Office Action objects to claim 24, alleging that claim 24 fails to further limit the subject matter of claim 22. By this Amendment, claim 24 is cancelled, rendering the objection moot. Accordingly, withdrawal of the objection is respectfully requested.

Rejection Under 35 U.S.C. §103

The Office Action rejects claims 22-26 under 35 U.S.C. §103(a) over U.S. Patent No. 6,146,753 to Niimi et al. ("Niimi I") or U.S. Patent No. 6,503,627 to Niimi et al. ("Niimi II") in view of U.S. Patent No. 5,925,438 to Ota et al. ("Ota"), U.S. Patent No. 6,003,743 to Suzuki et al. ("Suzuki") or U.S. Patent No. 6,064,524 to Oka et al. ("Oka"). Claim 24 is cancelled, rendering the rejection moot as to that claim. As to the remaining claims, Applicants respectfully traverse the rejection.

The present application is a continuation of U.S. Patent Application No. 09/266,528 (now U.S. Patent No. 6,319,594) and thus is entitled to the filing date of the 528 application

(March 11, 1999). Niimi I issued November 14, 2000. Accordingly, Niimi I is not available as prior art against the present application under 35 U.S.C. §102(a), (b), (c) or (d). Niimi I and the present application are commonly assigned to Dai Nippon Printing Co., Ltd. The assignment of Niimi I to Dai Nippon Printing Co., Ltd. is recorded at reel 009417, frame 0750 of the Patent Office's assignment records. The assignment of the present application to Dai Nippon Printing Co., Ltd. is recorded at reel 01001, frame 0286 of the Patent Office's assignment records. As Niimi I is not available as prior art against the present application under §102(a), (b), (c) or (d), and Niimi I and the present application are commonly owned, under 35 U.S.C. §103(c), Niimi I cannot form the basis of an obviousness rejection of the claims of the present application.

As indicated above, the present application is entitled to the filing date of March 11, 1999. Niimi II issued January 7, 2003. Accordingly, Niimi II is not available as prior art against the present application under 35 U.S.C. §102(a), (b), (c) or (d). Niimi II and the present application are commonly assigned to Dai Nippon Printing Co., Ltd. The assignment of Niimi II to Dai Nippon Printing Co., Ltd. is recorded at reel 009417, frame 0750 of the Patent Office's assignment records. As Niimi II is not available as prior art against the present application under §102(a), (b), (c) or (d), and Niimi II and the present application are commonly owned, under 35 U.S.C. §103(c), Niimi II cannot form the basis of an obviousness rejection of the claims of the present application.

The subject matter of Niimi I and Niimi II may be disclosed in laid-open publication JP 11-042729 (published February 16, 1999), which is the published version of the Japanese application to which Niimi I and Niimi II claim priority benefit. However, the present application is entitled to the filing date of Japanese Patent Application 1998-67428 (March 17, 1998) under 35 U.S.C. §119, and thus 35 U.S.C. §103(c) would also prohibit application of JP 11-042729 in an obviousness rejection of the present claims.

As the primary references forming the basis of this rejection are unavailable under 35 U.S.C. §103(c), the rejection is improper. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Double Patenting Rejection

The Office Action rejects claims 22-26 under the judicially created doctrine of obviousness-type double patenting over claims 1-5 of Niimi I in view of Ota, Suzuki or Oka. Claim 24 is cancelled, rendering the rejection moot as to that claim. As to the remaining claims, Applicants respectfully traverse the rejection.

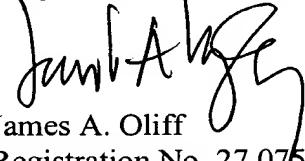
Applicants submit that the Terminal Disclaimer filed herewith obviates the double patenting rejection. For the foregoing reasons, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 22, 23, 25 and 26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JAD/hs

Attachment:
Terminal Disclaimer

Date: May 17, 2005

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